

EXHIBIT J

DEPOSITION OF NEVA JANE VAN METER

December 8, 2006

Pages 1 through 31

**CONDENSED TRANSCRIPT AND CONCORDANCE
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<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE MIDDLE DISTRICT OF ALABAMA 3 EASTERN DIVISION 4 5 WENDELL DEAN VAN METER, 6 NEVA JANE VAN METER, 7 8 Plaintiffs, 9 10 Vs. CIVIL ACTION NO. 11 3:06-CV-583-DRB 12 THE CITY OF LANETT, 13 etc., et al., 14 Defendants. 15 ***** 16 DEPOSITION OF NEVA JANE VAN METER, taken 17 pursuant to stipulation and agreement before Lisa 18 J. Nix, Registered Professional Reporter and 19 Commissioner for the State of Alabama at Large, in 20 the Law Offices of James Ingram and William Harris, 21 2005 South Broad Avenue, Lanett, Alabama on Friday, 22 December 8, 2006, commencing at approximately 23 11:50 a.m. CST. *****</p>	<p>1 STIPULATION 2 It is hereby stipulated and agreed by and 3 between counsel representing the parties that the 4 deposition of NEVA JANE VAN METER is taken pursuant 5 to the Federal Rules of Civil Procedure and that 6 said deposition may be taken before Lisa J. Nix, 7 Registered Professional Reporter and Commissioner 8 for the State of Alabama at Large, without the 9 formality of a commission, that objections to 10 questions other than objections as to the form of 11 the question need not be made at this time but may 12 be reserved for a ruling at such time as the said 13 deposition may be offered in evidence or used for 14 any other purpose by either party provided for by 15 the Statute. 16 It is further stipulated and agreed by and 17 between counsel representing the parties in this 18 case that the filing of said deposition is hereby 19 waived and may be introduced at the trial of this 20 case or used in any other manner by either party 21 hereto provided for by the Statute regardless of 22 the waiving of the filing of the same. 23 It is further stipulated and agreed by and</p>
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<p>1 APPEARANCES 2 3 FOR THE PLAINTIFF: 4 Mr. James Ingram 5 Mr. William Harris 6 Attorneys at Law 7 2005 South Broad Avenue 8 Post Office Box 1175 9 Lanett, AL 36863 10 11 FOR THE DEFENDANT: 12 Mr. T. Randall Lyons 13 WEBSTER, HENRY, LYONS & WHITE 14 Attorneys at Law 15 418 Scott Street 16 Montgomery, Alabama 17 ***** 18 EXAMINATION INDEX 19 NEVA JANE VAN METER 20 BY MR. LYONS 4 21 22 (No exhibits were marked to this deposition.) 23</p>	<p>1 between the parties hereto and the witness that the 2 signature of the witness to this deposition is 3 hereby waived. 4 5 ***** 6 7 NEVA JANE VAN METER 8 The witness, after having first been duly 9 sworn to speak the truth, the whole truth and 10 nothing but the truth testified as follows: 11 EXAMINATION 12 BY MR. LYONS: 13 Q. Could I get you to state your full name for 14 the Record, please, ma'am. 15 A. Like maiden name also? I dropped it. 16 Q. Whatever you go by. 17 A. Neva, N-E-V-A, Jane Van Meter. 18 Q. Ms. Van Meter, my name is Randy Lyons. I 19 represent the City of Lanett in a lawsuit 20 that you and your husband have filed. 21 I took your husband's deposition 22 earlier today, and I'm taking your 23 deposition to ask you just a few questions,</p>

Deposition of Neva Jane Van Meter

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<p>1 some to find out a little bit more about</p> <p>2 you and to ask you about your claims in</p> <p>3 this lawsuit.</p> <p>4 If I ask you anything you don't</p> <p>5 understand, stop me and tell me and I'll</p> <p>6 rephrase it or re-ask it to where you and I</p> <p>7 understand each other. Okay?</p> <p>8 A. (Witness nods head up and down.) Right.</p> <p>9 Q. Make sure you answer out yes or no or</p> <p>10 whatever, not just a nod of the head or an</p> <p>11 uh-huh or huh-uh.</p> <p>12 A. Okay.</p> <p>13 Q. And if you answer my question, I'm going to</p> <p>14 assume you understood it. Okay?</p> <p>15 A. Okay.</p> <p>16 Q. Have you ever given a deposition before</p> <p>17 today?</p> <p>18 A. Yes.</p> <p>19 Q. And what kind of case was that in?</p> <p>20 A. Oh, my gosh. It was one where two of our</p> <p>21 friends got killed on the interstate, and</p> <p>22 we saw the boys before they got it. And</p> <p>23 the truck driver was saying that they had</p>	<p>1 A. Other than, like, police things and all,</p> <p>2 no. Well, no, I haven't never been in one,</p> <p>3 no.</p> <p>4 You make me nervous. Did you know</p> <p>5 that?</p> <p>6 Q. I make you nervous?</p> <p>7 A. Yes, you sure do.</p> <p>8 Q. I'm sorry. I would never intend to make</p> <p>9 you nervous. I'm sorry. Just take a deep</p> <p>10 breath. I'm not going to bite you. I'll</p> <p>11 sit way over here. This is as loud as I'll</p> <p>12 ever talk.</p> <p>13 A. Thank you.</p> <p>14 Q. So there's no need to be nervous. Okay?</p> <p>15 A. All right. Thank you.</p> <p>16 Q. You said you've never been a plaintiff in</p> <p>17 any other lawsuit. Have you ever been a</p> <p>18 defendant where anyone has sued you? You</p> <p>19 said something about police. Have you been</p> <p>20 a police officer?</p> <p>21 A. No.</p> <p>22 Q. Okay.</p> <p>23 A. I just know that a long time ago -- it was</p>
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<p>1 been harassing him all the way from</p> <p>2 Montgomery, but we knew that wasn't true.</p> <p>3 And that was about 30 something years ago</p> <p>4 probably.</p> <p>5 Q. So you were just a witness?</p> <p>6 A. Right, but I still had to swear. I mean,</p> <p>7 I'm sorry.</p> <p>8 Q. You weren't a party to the lawsuit? You</p> <p>9 were just a witness to the accident or what</p> <p>10 was going on?</p> <p>11 A. We were a witness that they had left.</p> <p>12 Q. Okay. But you still had to swear. You're</p> <p>13 right.</p> <p>14 Any other depositions you've given</p> <p>15 other than that?</p> <p>16 A. Not that I know -- I can recall at this</p> <p>17 time.</p> <p>18 Q. Okay. Have you ever been a plaintiff in</p> <p>19 any other kind of lawsuit other than this</p> <p>20 case, where you sued someone?</p> <p>21 A. Not that I know of.</p> <p>22 Q. Have you ever been a defendant in any</p> <p>23 lawsuit where someone has sued you?</p>	<p>1 probably about when Dean was way, way in</p> <p>2 policing, he had a wreck in a police car</p> <p>3 and a lady sued him -- sued the sheriff's</p> <p>4 department. I didn't know if that was it</p> <p>5 or not.</p> <p>6 Q. Only if they had sued you.</p> <p>7 A. Oh, no. No.</p> <p>8 Q. I'm going to ask you a series of questions</p> <p>9 I ask everybody. I don't mean to offend</p> <p>10 you by asking you these questions. Okay?</p> <p>11 Have you ever filed for bankruptcy?</p> <p>12 A. No.</p> <p>13 Q. Have you ever filed for disability?</p> <p>14 A. No.</p> <p>15 Q. Have you ever been arrested for anything?</p> <p>16 A. No.</p> <p>17 Q. What is your date of birth?</p> <p>18 A. 5-29-52.</p> <p>19 Q. Your social security number?</p> <p>20 A. 258-90-5402.</p> <p>21 Q. Thank you. Do you have an Alabama driver's</p> <p>22 license?</p> <p>23 A. Alabama 3003919.</p>

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<p>1 Q. Does it have any restrictions on it?</p> <p>2 A. No, sir.</p> <p>3 Q. Has it ever been suspended or revoked for</p> <p>4 any reason?</p> <p>5 A. No, sir. It's got some stuff on it I don't</p> <p>6 need, like vehicle -- I mean a vessel</p> <p>7 license and all that they put on it that</p> <p>8 I've never done.</p> <p>9 Q. You have a boat license, but you've never</p> <p>10 taken the test?</p> <p>11 A. I was grandfathered in.</p> <p>12 Q. Oh, okay. You just never know when you</p> <p>13 might need it.</p> <p>14 A. I've got a motorcycle license, too, but I</p> <p>15 can't drive a motorcycle.</p> <p>16 Q. Do you have a CDL like your husband does?</p> <p>17 A. No, sir, I haven't done that yet. I can</p> <p>18 drive a horse.</p> <p>19 Q. You don't have to have a license with that,</p> <p>20 though.</p> <p>21 A. No, yet.</p> <p>22 Q. Yet. Okay.</p> <p>23 As far as the claims in this lawsuit,</p>	<p>1 Q. Let me ask you this. Before he had any</p> <p>2 kind of disciplinary action by the City of</p> <p>3 Lanett, did you know anything about him</p> <p>4 having any personnel files?</p> <p>5 A. Yes.</p> <p>6 Q. You did. Okay. When did you first learn</p> <p>7 that he had any personnel files?</p> <p>8 A. When they said they were going to fire him.</p> <p>9 Q. So when the City told him that he was going</p> <p>10 to be terminated, that's the first time you</p> <p>11 knew that he had any personnel files?</p> <p>12 A. To be honest, I don't exactly know the time</p> <p>13 that I was -- I remember that all of this</p> <p>14 was going on, but I don't remember if it</p> <p>15 was going through that or if it was after</p> <p>16 it came out or what.</p> <p>17 Q. Okay.</p> <p>18 A. Because like I said, I don't -- I hear a</p> <p>19 lot of police work and -- he doesn't like</p> <p>20 to hear my work, so I try not to hear a lot</p> <p>21 of his work.</p> <p>22 Q. Is that the way it's been for quite some</p> <p>23 time?</p>
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<p>1 you didn't have any involvement when your</p> <p>2 husband obtained these personnel files, did</p> <p>3 you? You weren't with him?</p> <p>4 A. Oh, no, sir.</p> <p>5 Q. Did you know anything about him getting the</p> <p>6 personnel files?</p> <p>7 A. What do you mean?</p> <p>8 Q. When did you first learn that he had</p> <p>9 obtained any personnel files?</p> <p>10 A. When they were talking.</p> <p>11 Q. When who was talking?</p> <p>12 A. I mean, it was all over the newspaper and</p> <p>13 everything else.</p> <p>14 Q. Okay. This is once, then, the City has</p> <p>15 called him in about disciplining him about</p> <p>16 the situation?</p> <p>17 A. Right. Because, I mean, he -- I don't like</p> <p>18 to hear police work, a lot of stuff, and he</p> <p>19 doesn't like to hear my work, a lot of</p> <p>20 stuff.</p> <p>21 Q. Okay.</p> <p>22 A. And we talk just general like husband and</p> <p>23 wife, I mean, just ...</p>	<p>1 A. It's been that -- well, it's just --</p> <p>2 just -- if you don't want to hear my work,</p> <p>3 I don't want to hear yours. I mean --</p> <p>4 Q. Well, I'm asking, though, how long has that</p> <p>5 been going on like that?</p> <p>6 A. I don't know.</p> <p>7 Q. Several years?</p> <p>8 A. Well, I hear police things, you know, when</p> <p>9 he talks to other officers, so I can't say</p> <p>10 that --</p> <p>11 I don't know what you're trying to get</p> <p>12 at, what you want me to say.</p> <p>13 Q. All I'm asking is --</p> <p>14 A. I know. But, I mean, I hear police work a</p> <p>15 lot and I hear other policemen that come</p> <p>16 over and stuff like that, and I read stuff</p> <p>17 in the papers.</p> <p>18 Q. Let me ask you my question.</p> <p>19 A. Okay. I'm sorry.</p> <p>20 Q. That's okay. You said -- or my</p> <p>21 recollection of what you said was that</p> <p>22 basically if he didn't want to hear about</p> <p>23 your work, then you didn't want to</p>

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<p>1 necessarily hear about his work. Isn't 2 that what you said? 3 A. Basically. 4 Q. All I'm asking is, is that attitude 5 something that has just recently occurred 6 or is that something that you've kind of 7 felt like that for several years? That's 8 all I'm asking. 9 A. It's more recent. 10 Q. Within the past year or more than the past 11 year? 12 A. Probably within the past year. 13 Q. Would it have been, then, since his 14 termination from the City of Lanett that 15 you have taken up this attitude about I 16 don't want to hear about your work if you 17 don't want to hear about mine? 18 A. Well, it got Dean upset because Dean -- 19 Dean has got tapes where he has nearly got 20 shot and all like that, and the only thing 21 that saved him was God. Because the only 22 thing that kept him from getting killed was 23 the reflection of a guy with a gun pointing</p>	<p>1 same way. 2 Q. Did he listen to you about your work at 3 that time before he got terminated from 4 Lanett? 5 A. Well, he doesn't understand my work. 6 Q. What do you do? 7 A. I'm a billing clerk for -- I fool with 8 computers. 9 Q. You work for Huguley Water Works? 10 A. Right. Huguley Water Authority & Fire 11 Protection. And I deal with computer 12 things a lot, and sometimes -- you know, if 13 you're talking about, you know, bytes and 14 stuff like that, he doesn't know, so I ... 15 Q. So if you get to be too technical on what 16 you're talking about, he doesn't -- either 17 doesn't want to know or doesn't understand? 18 A. I don't think he understands it. 19 Q. How long have you worked for Huguley? 20 A. Be 20 -- no, 19 years this month. 21 Q. You told me that he was upset. Did you go 22 to any of the hearings with the City of 23 Lanett with him?</p>
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<p>1 to him in the mirror, and he has still got 2 that tape. 3 And for a long time -- He pulled two 4 boys out of a truck when he was with the 5 sheriff's department. He can still tell 6 you right now what those kids had on. 7 I mean, he was that dedicated. And he 8 was extremely hurt over the whole situation 9 because he gave his life for that place. 10 Q. Okay. 11 A. And that's when I decided then I didn't -- 12 you know, I didn't want to hear any more 13 about Lanett. I'm sorry. 14 Q. That's what I'm asking. 15 A. I mean, because he was so hurt. 16 Q. I just want to find out, when did that 17 start? So before he was terminated with 18 Lanett, you did listen to each other -- 19 A. I did listen to all -- I mean, I would 20 listen to him as -- just like your wife 21 listens to you if you have a problem or if 22 you have something that's on your mind. 23 You listen to her. I listened to him the</p>	<p>1 A. I was not allowed to go in. They wouldn't 2 let us in. 3 Q. So you were there but weren't allowed to go 4 in? 5 A. Right. 6 Q. Were you at the city council hearing where 7 the city council voted for his termination? 8 A. Well, we were there when they called him in 9 the other office. They said that we could 10 have an open meeting, and all of us came 11 there. Then they said we couldn't have it 12 because something about it was discussing 13 his character or something and some other 14 something they said. 15 Q. Okay. So you went to some meeting and -- 16 A. I went to one, and they would not let us 17 in. 18 Q. You went to a meeting, and they would not 19 let you in because -- 20 A. Well, let me rephrase it. We went in, but 21 they told us to leave, to go out. 22 Q. Okay. What you're telling -- Let me see if 23 I understand it. You're saying you went to</p>

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<p>1 a meeting. You went into the meeting. You</p> <p>2 were told that you needed to leave because</p> <p>3 they were going to be discussing his</p> <p>4 character; is that right?</p> <p>5 A. Well, they told us it was an open meeting.</p> <p>6 And then when we got there and the</p> <p>7 auditorium was full and there were people</p> <p>8 outside, they said then it would not be an</p> <p>9 open meeting. It would be a closed</p> <p>10 meeting.</p> <p>11 Q. Okay.</p> <p>12 A. And they wouldn't let anybody go in but</p> <p>13 him, and I'm not sure --</p> <p>14 THE WITNESS: I think you --</p> <p>15 Q. Probably his lawyers.</p> <p>16 MR. INGRAM: We were there.</p> <p>17 A. They were there, but they wouldn't let us</p> <p>18 in. Because we had to stay out in the</p> <p>19 sprinkling rain.</p> <p>20 Q. Why did they tell you that they would not</p> <p>21 let you stay, if they told you?</p> <p>22 A. They told us, and I can't remember exactly</p> <p>23 why.</p>	<p>1 that's told you that?</p> <p>2 A. At this very moment, I couldn't tell any</p> <p>3 names.</p> <p>4 Q. Okay. Have you ever spoken with the mayor,</p> <p>5 anybody with the city council about this?</p> <p>6 A. No. Joel came on my job and asked me how</p> <p>7 my mother was doing one day.</p> <p>8 Q. Okay. Did you ask him about -- or talk to</p> <p>9 him about this --</p> <p>10 A. No, I asked him how his mother and daddy</p> <p>11 was doing.</p> <p>12 Q. Other than that, no other conversation?</p> <p>13 A. I haven't talked to Joel. I haven't talked</p> <p>14 to ... I try to avoid them.</p> <p>15 Q. You understand this is the only time I get</p> <p>16 to ask you questions, and so I don't know</p> <p>17 whether you've talked to anybody or not.</p> <p>18 That's the reason I'm asking. I'm not</p> <p>19 trying to pick at you.</p> <p>20 A. I mean, if I have, I do not recall it at</p> <p>21 this time.</p> <p>22 Q. That's fine. I'm just trying to find out</p> <p>23 if you have.</p>
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<p>1 Q. Okay. But they -- Not only you, but they</p> <p>2 made everybody else --</p> <p>3 A. They made everybody leave.</p> <p>4 Q. Okay. So it wasn't as if they singled you</p> <p>5 out. They made everybody go?</p> <p>6 A. They made everybody go because there were</p> <p>7 so many people there.</p> <p>8 Q. So other than that one meeting, did you go</p> <p>9 to any other meetings, hearings or</p> <p>10 whatever?</p> <p>11 A. No.</p> <p>12 Q. Have you had any discussion with anybody at</p> <p>13 the City of Lanett about this incident with</p> <p>14 your husband?</p> <p>15 A. I've had several people that have said that</p> <p>16 they've -- that they really liked Dean and</p> <p>17 he was a real good police officer.</p> <p>18 Q. Who told you that?</p> <p>19 A. I don't know. It's just several employees</p> <p>20 from -- I mean, I'm in a lot of stuff, and</p> <p>21 I know a lot of people.</p> <p>22 Q. Okay. But as far as anybody in particular,</p> <p>23 you can't think of anybody in particular</p>	<p>1 And as far as your claim, you have a</p> <p>2 claim for loss of consortium in this case.</p> <p>3 Do you know -- What do you base your claim</p> <p>4 on? What is your loss of consortium base</p> <p>5 upon?</p> <p>6 A. Well, since they've let him go, I've</p> <p>7 basically caught hell at home. I'll be</p> <p>8 honest. I'm a very Christian person, and I</p> <p>9 will tell you that.</p> <p>10 Q. Can you give me some examples?</p> <p>11 A. We sleep in separate rooms now.</p> <p>12 Q. Y'all didn't sleep in separate rooms</p> <p>13 before?</p> <p>14 A. No.</p> <p>15 Q. And whose choice was that?</p> <p>16 A. I don't know.</p> <p>17 Q. And I don't mean -- I'm not trying to pry,</p> <p>18 but when you make this claim, I have to ask</p> <p>19 these questions.</p> <p>20 If you need to take a break, you tell</p> <p>21 me and we'll stop at any time. Do you want</p> <p>22 to take a break for a second?</p> <p>23 A. (Nods head up and down.)</p>

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<p>1 (Brief recess was taken.)</p> <p>2 Q. We were talking about -- before we took a</p> <p>3 break, you said y'all were staying in</p> <p>4 separate rooms. Any other way that it's</p> <p>5 affected your relationship other than --</p> <p>6 A. Yeah, a lot of things. He's drinking</p> <p>7 more. Everything I do is wrong</p> <p>8 Everything -- if I pick up this can, it's</p> <p>9 wrong and I get cussed out.</p> <p>10 He's going through a bad depression.</p> <p>11 He thinks everybody has turned their back</p> <p>12 on him. He used to have places that would</p> <p>13 call and ask him if he would go to work for</p> <p>14 them. Not now. He couldn't even get a</p> <p>15 job.</p> <p>16 And then you get your bills set up with</p> <p>17 two incomes like that, and all of a sudden</p> <p>18 it's cut down. Have you ever had your</p> <p>19 lights cut off? We have.</p> <p>20 Q. You have?</p> <p>21 A. We have.</p> <p>22 Q. Okay.</p> <p>23 A. We were always being -- giving to Toys For</p>	<p>1 Q. So it's not something you take on a daily</p> <p>2 basis?</p> <p>3 A. No. It's something that I am -- I used to</p> <p>4 be a nurse, and I am not -- I would rather</p> <p>5 not take a medication than get addicted to</p> <p>6 one. A daily basis as prescribed, I do not</p> <p>7 take it because I will not. I have my</p> <p>8 faith.</p> <p>9 Q. Where do you attend church?</p> <p>10 A. Happy Valley Baptist Church. That's a</p> <p>11 fantastic church. If you're there</p> <p>12 sometime, we would very welcome you to</p> <p>13 come.</p> <p>14 THE WITNESS: And you, too.</p> <p>15 Q. Do you hold any office in the church?</p> <p>16 A. No, I'm in the choir, which I had to drop</p> <p>17 out of it for a little while because Dean</p> <p>18 was -- Dean was, well, you're going to</p> <p>19 choir practice, you're going to this,</p> <p>20 you're going to that. You don't want to be</p> <p>21 home with me.</p> <p>22 I mean, I have caught it. I dropped</p> <p>23 out for several months, and then I went</p>
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<p>1 Tots and helping them at Christmas, DHR.</p> <p>2 DHR called this time, and we couldn't help</p> <p>3 them.</p> <p>4 My husband did not see my kids grow up</p> <p>5 because he was so dedicated to police</p> <p>6 work. He went to a ball game that Michael</p> <p>7 was playing in. He got to come for one</p> <p>8 quarter. And Peggy Hester that was working</p> <p>9 for the police department came and got</p> <p>10 him. They had a burglary.</p> <p>11 He gave his whole life for this, and</p> <p>12 now he feels like he's betrayed, totally</p> <p>13 betrayed.</p> <p>14 Q. Have y'all had any marriage counseling or</p> <p>15 anything like that?</p> <p>16 A. No.</p> <p>17 Q. Are you taking any kind of medication</p> <p>18 because of this?</p> <p>19 A. I take Xanax.</p> <p>20 Q. And who prescribed that for you?</p> <p>21 A. Dr. Hemberg. But I take it when I need</p> <p>22 it. I know when I need it and when I</p> <p>23 don't.</p>	<p>1 back because my faith is with me. And</p> <p>2 that's how I can serve Him, and I'm going</p> <p>3 to do it.</p> <p>4 Q. Is there any specific instance that you can</p> <p>5 think of that stands out in your mind</p> <p>6 that's been an argument, fight or anything</p> <p>7 else that stands out in your mind because</p> <p>8 of this, or is it just kind of --</p> <p>9 A. If I do anything now, it's wrong. If I</p> <p>10 pick up this can, it's wrong.</p> <p>11 Q. You mentioned that. I was about to say, is</p> <p>12 it just kind of an all-the-time type thing</p> <p>13 that --</p> <p>14 A. It's every day. It's every day.</p> <p>15 Q. Y'all have not separated at any point?</p> <p>16 A. No, I do not believe in it.</p> <p>17 Q. Okay. Had you ever had any kind of marital</p> <p>18 problems prior to his being terminated with</p> <p>19 the City of Lanett?</p> <p>20 A. Not that I can remember.</p> <p>21 Q. Never had any separations or any other --</p> <p>22 A. No.</p> <p>23 Q. -- where y'all stayed in separate rooms</p>

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<p>1 before this?</p> <p>2 A. No.</p> <p>3 Q. Has anybody talked with you about any claim</p> <p>4 that Dean was accused of stealing anything</p> <p>5 from the City?</p> <p>6 A. Maybe in general conversation, but I cannot</p> <p>7 tell you -- I couldn't honestly tell you.</p> <p>8 Q. Okay.</p> <p>9 A. Right now, I am -- I try to block things</p> <p>10 out, and a lot of things I totally block</p> <p>11 out due to being hurt.</p> <p>12 Q. So as far as if you've heard anybody, it</p> <p>13 may have been general conversation? You</p> <p>14 can't think of anything specific?</p> <p>15 A. No, I can hold a conversation with you and</p> <p>16 be blocked out.</p> <p>17 Q. Okay.</p> <p>18 A. Because it's like I say now, you hear it,</p> <p>19 but you get to the point where you don't</p> <p>20 want to hear it. If you're with somebody</p> <p>21 that everything you did was wrong, would</p> <p>22 you not block it out?</p> <p>23 Q. Well, I guess I'm asking, though, outside</p>	<p>1 A. I have two sons, and we're raising a</p> <p>2 granddaughter. And we do all the -- all</p> <p>3 expenses for her. We have custody.</p> <p>4 Q. How old is she?</p> <p>5 A. She's eight.</p> <p>6 Q. What grade is she in?</p> <p>7 A. She's in third.</p> <p>8 Q. Has it caused y'all problems being able to</p> <p>9 pay for things for her?</p> <p>10 A. (Nods head up and down.) Yes, sir.</p> <p>11 Q. What's her name?</p> <p>12 A. Britiany, B-R-I-T-I-A-N-Y, Nicole. In</p> <p>13 fact, we were short one week on day care,</p> <p>14 and my youngest son paid for it. And they</p> <p>15 buy a lot of her clothes. And that's not</p> <p>16 his daughter.</p> <p>17 Q. Does your son live here, the younger one?</p> <p>18 A. Uh-huh. (Positive response.) He lives</p> <p>19 here. Both of them live here.</p> <p>20 Q. And what are your sons' names?</p> <p>21 A. Preston, and the youngest one is Michael.</p> <p>22 Q. Is Preston employed anywhere?</p> <p>23 A. Right now, he's supposed to be on no work</p>
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<p>1 of your husband, have you had anyone else</p> <p>2 tell you that you can recall that he was</p> <p>3 accused of stealing anything?</p> <p>4 A. I don't know. I could not ...</p> <p>5 Q. All I want is basically that -- The reason</p> <p>6 for my question is this. If we end up</p> <p>7 having to go to trial in this case and you</p> <p>8 got on the stand and said, well, so-and-so</p> <p>9 came and told me this or that and I had</p> <p>10 asked you and you didn't tell me, that</p> <p>11 would be -- that's why I'm asking, so ...</p> <p>12 A. Like I said, I have heard, but I cannot</p> <p>13 tell you specifically. I mean, because</p> <p>14 this was -- this was the whole, like, talk</p> <p>15 of the town deal.</p> <p>16 You can hear different things from</p> <p>17 rumors and people, but it's not like -- I</p> <p>18 can't remember everybody I had a</p> <p>19 conversation with two years ago. I can't.</p> <p>20 Or who said what for two years, I can't do</p> <p>21 that. If I told you I could, I would be</p> <p>22 lying.</p> <p>23 Q. Do y'all have children?</p>	<p>1 available.</p> <p>2 Q. He's on no work available?</p> <p>3 A. Right. It's like -- He works</p> <p>4 construction. If they don't have anything,</p> <p>5 they don't work.</p> <p>6 Q. Okay. So he's on no work available?</p> <p>7 A. Right. That's the best way to put it. I</p> <p>8 mean, no work.</p> <p>9 Q. Where does Michael work?</p> <p>10 A. Michael works at Milliken.</p> <p>11 Q. Is Preston married?</p> <p>12 A. Preston is married.</p> <p>13 Q. What's his wife's name?</p> <p>14 A. Rhonda.</p> <p>15 Q. Does she work anywhere?</p> <p>16 A. She works at Wendy's.</p> <p>17 Q. Wendy's?</p> <p>18 A. Right.</p> <p>19 Q. And Michael, is he married?</p> <p>20 A. Michael is married to Dixie.</p> <p>21 Q. And where does she work?</p> <p>22 A. She works at the operating room at George</p> <p>23 H. Lanier Hospital.</p>

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<p>1 Dean was a good policeman. I'm 2 serious. 3 Q. I mean, that's not what I'm here to ask you 4 questions about. 5 A. I know. 6 MR. LYONS: I appreciate your 7 coming today. I don't think I 8 have anything else to ask 9 you. Thank you, ma'am. 10 THE WITNESS: Thank you. 11 12 13 14 15 16 ***** 17 FURTHER DEPONENT SAITH NOT 18 ***** 19 20 21 22 23</p>	<p>1 contain a true and correct transcript of the 2 examination of said witness by counsel for the 3 parties set out herein. The reading and signing of 4 same is hereby waived. 5 I further certify that I am neither of kin 6 nor of counsel to the parties to said cause nor in 7 any manner interested in the results thereof. 8 This 19th day of December 2006. 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p> <p>Lisa J. Nix, Registered Professional Reporter and Commissioner for the State of Alabama at Large</p>
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<p>1 REPORTER'S CERTIFICATE 2 STATE OF ALABAMA: 3 MONTGOMERY COUNTY: 4 I, Lisa J. Nix, Registered Professional 5 Reporter and Commissioner for the State of Alabama 6 at Large, do hereby certify that I reported the 7 deposition of: 8 NEVA JANE VAN METER 9 who was first duly sworn by me to speak the truth, 10 the whole truth and nothing but the truth, in the 11 matter of: 12 WENDELL DEAN VAN METER, NEVA JANE VAN 13 METER, 14 Plaintiffs, 15 Vs. 16 THE CITY OF LANETT, etc., et al., 17 Defendants. 18 In The U.S. District Court 19 For the Middle District of Alabama 20 Northern Division 21 Case Number 3:06-CV-583-DRB 22 on Friday, December 8, 2006. 23 The foregoing 29 computer printed pages</p>	

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